

United States District Court
District of Minnesota
Civil No. 19-1516(DSD/BRT)

Howard Jackson, Jr.,

Plaintiff,

v.

ORDER

Lyndsey Olson, St. Paul
City Attorney Ramsey;
John J. Choi, St. Paul Ramsey
County Attorney; Melvin Carter,
Mayor St. Paul Ramsey;
Keith Ellison, Minnesota
Attorney; and H.S.D. of St. Paul,

Defendants.

This matter is before the court upon the objections by pro se plaintiff Howard Jackson, Jr. to the July 30, 2019, report and recommendation of Magistrate Judge Becky R. Thorson (R&R). The magistrate judge recommends that the court (1) dismiss the case because Jackson has failed to state a plausible federal claim, and (2) deny his request to proceed in forma pauperis. Jackson submitted a response to the R&R moving for the magistrate judge's removal from the case based on a conflict of interest. The court will construe the response as an objection to the R&R.

The court reviews the R&R de novo. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); D. Minn. L.R. 72.2(b). After a thorough review of the file and record, the court finds that the R&R is

well-reasoned and correct. The court also finds no basis to conclude that the magistrate judge has a conflict of interest that has rendered her unable to objectively preside over this matter.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The objection to the R&R [ECF No. 4] is overruled;
2. The R&R [ECF No. 3] is adopted in its entirety;
3. The action is dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B); and
4. The application to proceed in forma pauperis [ECF No. 2] is denied.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 21, 2019

s/David S. Doty
David S. Doty, Judge
United States District Court